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African Institute for the Prevention of Crime and the Treatment of Offenders

Report of the Secretary-General

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I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution 53/113 of 9 December 1998 and updates the report submitted to the Assembly at its fifty-third session (A/53/381). It focuses on the activities of the African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI), its operations and funding, and includes proposals for enhancing the capacity of the Institute to implement its programmes and activities, thus strengthening crime prevention and criminal justice systems in Africa.

2. In accordance with the mandate of UNAFRI to promote regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, the Institute continued to focus its activities on pressing issues in response to the needs of African States. Nonetheless, the financial situation of the Institute greatly affected its capacity to deliver its services to African member States effectively and in a comprehensive fashion.

3. The Institute continued to receive political support from its member States, the General Assembly, the Conference of African Ministers of Finance, the Conference of African Ministers Responsible for Economic and Social Development and Planning and the Commission on Crime Prevention and Criminal Justice. The Institute established further partnerships with Governments, relevant organizations, donor countries and international agencies. Established nine years ago, UNAFRI remains the focal point of the United Nations in the African region in the field of crime prevention and criminal justice as an affiliated regional institute.

II. Programme activities

A. Governing Board

4. The Institute is preparing to hold the sixth ordinary session of its Governing Board in October 1999.

B. General direction and management

5. UNAFRI has reviewed its approach in meeting the challenges of its work. Emphasis is being placed on fostering collaborative activities and joint action to combat crime, especially in its transnational forms. At the same time, efforts have been intensified to raise the awareness of African Governments that crime impedes strategies and programmes of economic sustainability and that is a major constraint to efforts to alleviate poverty in African States. In all its activities, the Institute has given priority to data collection as a prerequisite to designing responsive and meaningful action. The information gathered has enabled UNAFRI to create useful databases relating to those issues. In addition to data collection, the Institute provided training to relevant personnel so as to upgrade the standards of their performance.

6. In view of the expanding computerization process in many African countries, UNAFRI encouraged senior officials of criminal justice systems in African countries to obtain access to the Internet, which facilitates information exchange among member States. The Institute made use of its own computer facilities and published new documents on the Internet Web server, thus allowing African States to take advantage of information the Institute provides on its home page. The Institute has widened its contacts with many agencies both on the continent and elsewhere through its electronic communication system. An increasing number of crime prevention and criminal justice agencies outside Africa used UNAFRI as a focal point for information exchange and the provision of technical advice and assistance.

7. The Institute continued to operate on a very limited budget. The Director therefore intensified his efforts to mobilize resources over and above member States' assessed contributions. In that regard, the Institute raised donor grants in relation to specific projects. The management also ensured maximum income-generation by renting its unused facilities. This policy greatly contributed to the funds required to meet the administrative operations of the Institute. Institute staff were trained by the Economic Commission for Africa (ECA) on practical methods of strategic fundraising.

8. As reported previously, the Institute has been forced to take drastic cost-saving measures, including the freezing of certain core Professional staff posts, measures that it has not yet been possible to rescind. Only with additional resources will it be possible for the Institute to reactivate the Professional posts and to reinstate staff, as directed by the Governing Board. The Director also started to explore with certain African Governments the possibility of seconding national Professionals to UNAFRI in order to strengthen the operational capacity of the Institute, in line with the relevant policies of the United Nations. ECA has also indicated its readiness over and above its continuing support to assist the Institute by examining the feasibility of sponsoring consultants for specific projects. In that context, ECA

assured favourable consideration to sponsoring a joint regional expert group meeting, which will focus on re-establishing the rule of law in situations of recovery from the ravages of civil strife.

9. The Institute established closer collaboration with the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention in order to ensure adequate reflection of the priorities of the United Nations Crime Prevention and Criminal Justice Programme in the work programme of the Institute.

10. During the reporting period, Cameroon acceded to the statute of UNAFRI to become the 29th member State of the Institute. It is also anticipated that two other African countries will ratify the statute shortly.

11. The Institute is committed to ensure that the implementation of all its activities is guided by professional excellence and, wherever feasible, to develop effective partnerships with regional, subregional and national institutions. The Institute is determined to manage its projects according to the highest standards of cost-effectiveness, based on the principles of transparency and accountability.

C. Crime prevention and criminal justice activities

12. In general, the programme activities reflect the needs of African States and are oriented towards the priority issues of the Centre for International Crime Prevention, the latter being reflected in the Centre's three global programmes against transnational organized crime, trafficking in human beings and corruption. UNAFRI is committed to assist in the regional implementation of those programmes.

1. Extradition and mutual legal assistance in Africa

13. UNAFRI is currently implementing a regional project whose aim is to develop African legal instruments on extradition and mutual legal assistance. The project was set up in response to the recommendations of the Workshop on Extradition and Mutual Legal Assistance in Criminal Matters in Africa: Exchange of Interregional Experience and Implementation of International Principles, organized by the Institute in April 1998. The project was also called for by the African Regional Preparatory Meeting for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. It is envisaged that, once developed, the instruments will allow African countries to improve cooperation with one another in order to achieve common objectives of preventing and controlling crime, especially transnational organized crime. The Institute has prepared a first draft of the instruments, taking note of relevant international, regional and subregional instruments, including the United Nations Model Treaty on Extradition (General Assembly resolution 45/116, annex) and its Model Treaty on Mutual Assistance in Criminal Matters (resolution 45/117, annex), the conventions of the Economic Community of West African States, the draft conventions of the Organization of African Unity, the Commonwealth London Scheme, the Harare Scheme and the laws of Commonwealth countries in Africa. The draft texts have been circulated among African and other experts for their input. In October 1999, the Institute will organize, in cooperation with the Government of Egypt and with the assistance of a donor agency, an expert meeting to review the documents and agree on their final texts for submission to the African States.

14. The Institute maintained and updated the regional database on African extradition and legal assistance laws and treaties, which had been set up in 1997 (http://www.unafri.or.ug).

2. Trafficking in firearms and ammunition in Africa

15. UNAFRI implemented a three-phase project on illegal trafficking in firearms and ammunition in Africa. The project was a follow-up to recommendations of the African Regional Workshop on Firearms Regulation for the Purpose of Crime Prevention and Public Safety, sponsored by the United Nations and held in Arusha in November 1997. The aim of the project is to enhance the capacities of African Governments to combat trafficking in firearms and its negative consequences for national security and development, public health and safety. Components of the project include a survey on illegal firearms trafficking in Africa, an expert meeting and a regional workshop that will consider the report of the survey and make concrete proposals for action. The project is expected to lead, *inter alia*, to the organization of training activities for law enforcement personnel, including customs officials directly involved in detection and control of illicit trafficking in firearms. The first two phases of the project will be completed by December 1999.

3. Corruption

16. The Institute designed a comprehensive project proposal, with the objective of enhancing the capacity of African States in their efforts to combat widespread

corruption by public officials in Africa. The project addresses the problem with a three-pronged approach, including hands-on and in-service training modules for public officials, law reform and the development of a regional treaty that will provide the basis for formulating effective national measures to combat corruption while taking into account legal and cultural diversities. The necessary consultations have been begun to fund the proposal.

4. Penal reform

17. For the past two years, the Institute has been involved in pilot action-oriented studies on penal reform, which have focused on the social rehabilitation and integration of former prisoners, community involvement in crime prevention initiatives, including those of non-governmental organizations, and the provision of advisory services to the Government of Uganda in connection with the introduction of community service as an alternative to imprisonment for certain categories of convicted offenders. The Institute has also drawn up a regional project proposal on alternatives to imprisonment aimed at sensitizing Governments to new and innovative crime prevention initiatives.

18. Furthermore, the Institute continued its consultations with a number of agencies and individual experts regarding the development of training modules for criminal justice personnel in priority areas of specialization in which many criminal justice systems have indicated an urgent need for training. Special attention has been paid to requests for designing and organizing special courses for prison staff, since the requesting States are unable to do so on their own.

5. Juvenile justice

19. The Institute developed strategies to assist African States in the implementation of the United Nations standards and norms in the field of juvenile justice. In that regard, the Institute has utilized the experience gained from its research undertakings with a number of non-governmental organizations in Uganda. The new strategies will be based on the recommendations of the United Nations seminar on juvenile justice, held in Burkina Faso in 1997, and of the seminar organized by Defence of Children International in Senegal in July 1998, relating to sensitization of the concerned government officials with respect to the Convention on the Rights of the Child (General Assembly resolution 44/25, annex) and the Charter on the Rights and Welfare of the African Child. Defence of Children International and the Institute are cooperating in organizing a seminar similar to the one in Senegal, to be held in Uganda in the fourth quarter of 1999.

6. Study on the impact of crime on development in southern African countries

20. The Institute cooperated with the ECA Subregional Development Centre for Southern Africa to implement a study on crime in southern Africa to be carried out in the eight African countries of the subregion. The study will identify the various forms of criminality whose dimensions have not yet been fully examined and their impact fully assessed. The study should be completed later in 1999.

7. Victimization study

21. UNAFRI continued to implement the crime victimization survey, in close cooperation with the University of South Africa. The South African Technikon may also assist in the implementation of the survey. The survey was implemented in Lesotho, South Africa and Swaziland.

8. African Regional Preparatory Meeting for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

22. UNAFRI assisted the Centre for International Crime Prevention and the Government of Uganda in the organization of the African Regional Preparatory Meeting for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, which was held in Kampala from 7 to 9 December 1998. The meeting called, *inter alia*, for the strengthening of UNAFRI as a regional focal point for crime prevention and criminal justice. The meeting also called on the international community and organizations that support the objectives of the Institute to provide financial and other support to guarantee its capacity to meet its objectives.

III. International cooperation and partnership

23. The cooperation and partnerships established by the Institute over the last several years with the international and regional agencies, institutions participating in the United Nations Crime Prevention and Criminal Justice Programme and donor agencies are improving steadily. Its cooperation with the Centre for International Crime Prevention is of great significance in meeting the goals of African countries in the

field of crime prevention and criminal justice. This cooperation takes two forms, the first of which concerns collaboration on specific activities that achieve common objectives. The second focuses on the role UNAFRI plays in ensuring that African States implement the various United Nations standards and norms in the field of crime prevention and criminal justice. Furthermore, UNAFRI, as part of the United Nations Crime Prevention and Criminal Justice Programme network, continues to develop its activities in accordance with the priorities of the Centre.

24. The Institute continued to receive the active support, assistance and guidance of ECA, its sponsoring agency.

25. The Institute benefited from its continuing technical cooperation and partnership with the Departments of Justice and State of the Government of the United States of America, in particular with reference to the two ongoing projects on extradition and mutual legal assistance, and trafficking in firearms and ammunition in Africa. Furthermore, a number of African Governments are collaborating with the Institute on specific activities. The Institute is seeking to establish contacts and technical cooperation with many other agencies both in Africa and elsewhere.

26. The Institute participated in a number of international regional and national conferences, seminars and workshops. Such meetings afford an opportunity to the Institute to establish new contacts and to publicize its goals and objectives more widely. The Institute has continued to cooperate very closely with the host country, Uganda.

27. The support and assistance of the Government of Uganda to the Institute have contributed greatly to its continued existence and vitality. During the reporting period, Uganda also provided the first elected Chairman of the Governing Board of UNAFRI.

IV. Funding and support

28. The total resources of the Institute for 1999 amounted to $403,407. Those funds were derived from (a) assessed contributions from member States ($24,126); (b) the 1998 portion of the United Nations grant ($88,043); (c) grants for specific projects ($246,471); (d) other income received from the rental of parts of the premises and facilities of the African Institute and interests on deposits ($44,767).

A. Assessed financial contributions of member States

29. Rwanda, the Sudan, Tunisia and Uganda paid their assessed contributions for the period 1998-1999, which amounted to $24,126. The outstanding balance in assessed financial contributions of member States is immense. As at July 1999, out of total assessed contributions of $2,540,816 for the period from 1989 to 1999, only $333,294 had been received, leaving an outstanding balance of $2,207,522. Contributions have so far been received from 14 member States, while 15 member States have never made any contribution to the Institute.

B. United Nations

30. The United Nations grant to the Institute, which has continued since the biennium 1992-1993, provides a critical reliable basis for the existence of the Institute. Of the approved grant of $204,800 for the period 1998-1999 to cover the salaries of the Director and Deputy Director of the Institute and other administrative expenses, $88,043 was spent in 1998, leaving a balance of $114,357 available to meet the salaries of the Director and Deputy Director and administrative expenses during 1999.

C. Grants for funded projects

31. The first phase of the African extradition and mutual legal assistance project was completed in April 1998. The unspent project funds of $47,000 were earmarked towards updating the database. The setting up of a home page on the Internet was also finalized, thereby exhausting the balance on the grant received from the National Institute of Justice of the United States.

D. Other sources of income

32. The Institute continued to rent its unused premises in order to generate income to be used in part to offset administrative expenses. That activity generated income amounting to $41,639, in addition to interest on deposits amounting to $3,128.

E. Additional resources required

33. In its 1998 report, the Institute had requested additional funding of $658,749 to finance specific approved activities for the period 1998-1999. However, that request was not approved by the General Assembly and consequently the activities could not be carried out. A new request is now being submitted for the following new activities included in the programme of work of the Institute for the period 1999-2000:

(a) Training workshops and seminars:

(i) A seminar on the development and implementation of joint strategies and modalities to deal with transnational criminality in Africa ($129,000);

(ii) A seminar on the development of effective strategies to lower the impact of crime in countries facing political transition ($55,000);

(iii) A series of seminars and workshops on capacity-building against transnational auto theft in Africa ($250,000);

(b) Research:

(i) Implementation of the next phase of the African survey on crime/victimization and criminal justice administration (two countries) ($55,750);

(ii) An action-oriented study on the resettlement of street children ($55,750);

(c) Establishment and operationalization of a library, information and documentation centre, including production of reports and publishing of the journal of the Institute ($15,500);

(d) Reinstatement of core Professional staff ($87,749);

(e) Participation of representatives of the Institute in meetings relating to crime prevention and criminal justice ($10,000).

V. Strategies to sustain the Institute

34. UNAFRI was established as the focal point of the United Nations in the African region to promote active cooperation between Governments, other institutions and experts on issues related to crime prevention and criminal justice. The Institute has the mandate to assist African countries in strengthening their capacity to prevent and control crime. For almost one decade, the Institute has been a reliable partner for Governments of the African continent to assist in the improvement of their administration of criminal justice. The international community, in particular the African States as the constituency of the Institute, are determined to achieve the goal of ensuring that criminal justice systems are effective and efficient so that there are no safe havens for criminals, in particular in cases of transnational crime.

35. The mission of the Institute is more important than ever. In addition to the traditional forms of crime, new forms, such as organized crime, economic crimes and crimes against the environment, are being committed more frequently in the African region. Criminal justice systems in Africa are not fully prepared to combat those crimes. The absence of effective and efficient criminal justice systems will have negative repercussions on public security. In addition, innovative crime prevention strategies are not in place, which may ultimately lead to more victims of crime in many African countries.

36. Technical assistance in crime prevention and criminal justice should become an integral part of country programmes, as sustainable development efforts will only be successful if a functioning criminal justice system is in place. Crime is a major impediment to national sustainable growth and development and undermines efforts to alleviate poverty in African countries. The Institute has designed appropriate programmes to help Governments to improve their criminal justice systems and to allow for the development of crime prevention strategies for Africa that can contribute significantly to the alleviation of poverty and to sustainable development in Africa. The Institute stands ready to contribute components to civil society initiatives in the context of national development planning. In addition, anti-corruption projects and projects aimed at preventing abuse of power could be offered by the Institute, as well as comprehensive safer city programmes that focus on the prevention of urban crime. The Institute will continue to provide its assistance to African States by providing legal advisory services and training for criminal justice personnel and by conducting action-oriented research and studies on innovative crime prevention initiatives.

37. In spite of the important mission of the Institute and its substantive competence to implement its mission, its operational resources have continued to decrease as a result of the major economic transformations of African member States. In addition to its conventional sources of funding, new resource mobilization strategies are required to ensure an adequate financial basis for the operational activities of the Institute. The Institute has therefore reoriented its programmes so as to bring them in line with the new

strategic direction of the United Nations Crime Prevention and Criminal Justice Programme network, as well as the development programme priorities of donor agencies.

38. The General Assembly may wish to take appropriate affirmative action to ensure that the Institute is provided with the necessary resources for the implementation of its work programme. Without adequate funding, the activities of the Institute will remain piecemeal efforts, inadequate to provide member States with comprehensive assistance in controlling and preventing crime in Africa.